

IN THE CHANCERY COURT OF DESOTO COUNTY MISSISSIPPI

JUANITA W. TRIM PRUETT AND
JAMES J. PRUETT

PLAINTIFFS

VS.

CAUSE NO. 96-1-44

EDDY D. TRIM

DEFENDANT

FINAL DECREE

This cause came on to be heard, came both Plaintiffs and the Defendant represented by counsel and the Court having heard the evidence finds that the Plaintiff, Juanita W. Trim, feme sole, on March 11, 1970 purchased the residence located at 1680 Northfield, Southaven, Mississippi more particularly described as the land in DeSoto County, Mississippi described as follows to wit:

Lot 3061, Section O, Southaven West Subdivision in Sections 23 and 26, Township 1 South, Range 8 West in DeSoto County Mississippi as shown on plat of record in Plat Book 5, Pages 12 and 13 in the office of the Chancery Clerk of Desoto County, Mississippi.

The Court finds Juanita W. Trim married James J. Pruett in 1980 and he moved to her home at 1680 Northfield, Southaven, Mississippi where they lived together until January, 1996 at which time they moved to Texas to reside. On July 13, 1992 without the consent, knowledge, or approval of her husband, Juanita W. Trim Pruett executed a Quit Claim Deed to the residence in Southaven, Mississippi to herself and to her two children, Eddy W. Trim and Donna L. Springer, which Deed was recorded in Deed Book 247, Page 326 in DeSoto County. Donna L. Springer has reconveyed her interest in the property to her mother by Deed dated November 17, 1995, recorded in Deed Book 293, Page 339 in DeSoto County, but Eddy W. Trim has refused to reconvey his interest in the lot.

The Court finds the conveyance in 1992 is invalid and non binding because Section 89-1-29 of the Mississippi Code of 1972 requires a spouse to join in a conveyance

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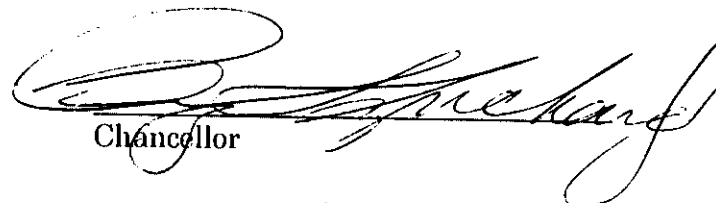
of the homestead and the Quit Claim Deed is a cloud on the title to the lot and the same should be removed.

It is therefore ordered, adjudged and decreed that the Quit Claim Deed from Juanita W. Trim Pruett to Eddy W. Trim and Donna L. Springer dated July 13, 1992 recorded in Deed Book 247, Page 326 in the Office of the Chancery Clerk of DeSoto County Mississippi conveying said lot is void and held for naught and constitutes a cloud on the title to the property which is hereby canceled and held for naught.

It is further ordered, adjudged and decreed that a certified copy of this Decree shall filed in the land records of DeSoto County Mississippi and a notation made on the record of the Quit Claim Deed in Book 247, Page 326 to the Book and Page where this Decree is recorded citing that the Deed has been canceled.

It is further ordered, adjudged and decreed that all court costs in this cause are assessed against the Defendant, Eddy W. Trim, for which let process issue.

Ordered, adjudged and decreed this the 20th day of April, 1996.

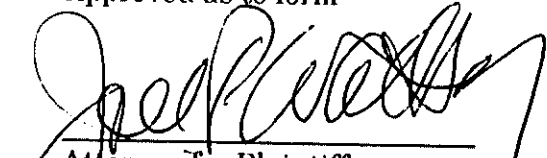

Chancellor

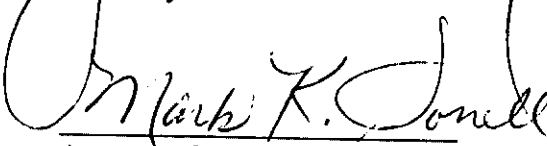
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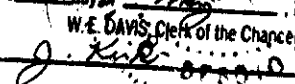
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W.E. DAVIS CH. CLK.

Approved as to form


Attorney for Plaintiff


Attorney for Defendant

CHANCERY COURT
STATE OF MISSISSIPPI COUNTY OF DE SOTO
I HEREBY CERTIFY that the above and foregoing is a true
copy of the original filed in this office.
This the 9 day of May, 1996
W.E. DAVIS, Clerk of the Chancery Court
By  D.C.